



3782

Please place a plus sign inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

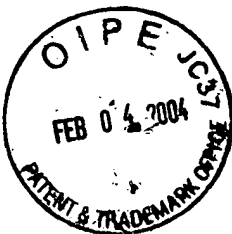
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/060,905
	<b>Filing Date</b>	January 29, 2002
	<b>First Named Inventor</b>	Stephen Ritland
	<b>Group Art Unit</b>	3732
	<b>Examiner Name</b>	Cary E. O'Connor
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 101896-246

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  1. Statement Under 37 CFR 3.73(b); and  2. Return Postcard.
<b>Remarks</b>		<b>RECEIVED</b> FEB 09 2004 TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	NUTTER MCCLENNEN & FISH LLP William C. Geary III
Signature	
Date	February 2, 2004

Transmittal	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: February 2, 2004	Signature:  (William C. Geary III)



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TECHNOLOGY CENTER R3700

PTO/SB/82 (06-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REVOCATION OF POWER OF  
ATTORNEY and APPOINTMENT  
OF NEW POWER OF ATTORNEY

Application Number	10/060,905
Filing Date	January 29, 2002
First Named Inventor	Stephen Ritland
Art Unit	3732
Examiner Name	Cary E. O'Connor
Attorney Docket Number	101896-246

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners at Customer Number: 021125☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

021125

OR

☐ Firm or  
Individual Name NUTTER MCCLENNEN & FISH LLP  
William C. Geary IIIAddress World Trade Center West  
155 Seaport Boulevard

City Boston

Country US

State MA

Zip

02210-2604

Telephone (617) 439-2766

Fax

(617) 310-9766

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Name David A. Lane, Jr., Assistant Secretary, DePuy Spine, Inc.

Signature *David A. Lane Jr.*

Date

2/2/04

Telephone

(508) 880-8488

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒

\*Total of 1 forms are submitted.

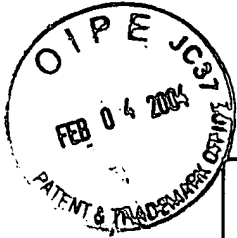
## Revocation of Power of Attorney or Authorization of Agent

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 2-2-04

Signature: *William C. Geary III*

(William C. Geary III)



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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: DePuy Spine, Inc.

Application No./Patent No.: 10/060,905 Filed/Issue Date: January 29, 2002

Entitled: Method And Device For Retractor For Microsurgical Intermuscular Lumbar Arthrodesis

DePuy Spine, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

2/2/04  
Date  
(508) 880-8488  
Telephone Number

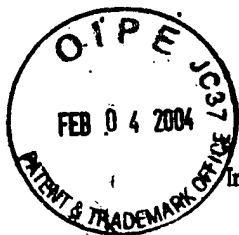
David A. Lane, Jr.  
Typed or printed name  
David A. Lane, Jr.  
Signature  
Assistant Secretary  
Title

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**Statement By Assignee to Establish Ownership (37 CFR 3.73(b))**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

295964.1  
Dated: 2-2-04 Signature: William C. Geary III (William C. Geary III)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

RITLAND

Serial No.: 10/060,905

Filed: January 29, 2002

Atty. File No.: 4510-4

For: "RETRACTOR AND METHOD  
FOR SPINAL PEDICLE SCREW  
PLACEMENT"

) Group Art Unit: 3732

) Examiner: Cary E. O'Connor

) RECORDATION OF ASSIGNMENT

) Express Mail Label: EL975238840US

) **EL975238840US**

Mail Stop: Assignment Recordation Services  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

Please record the attached original documents or copy thereof:

1. Name of conveying party(ies):

Stephen Ritland

2. Name and address of receiving party(ies):

DePuy AcroMed, Inc.  
325 Paramount Drive  
Raynham, Massachusetts 02767  
U.S.A.

3. Nature of Conveyance:

<input checked="" type="checkbox"/>	Assignment	<input type="checkbox"/>	Merger
<input type="checkbox"/>	Security Agreement	<input type="checkbox"/>	Change of Name
<input type="checkbox"/>	Other: _____		

Execution Date: September 10, 2003

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is:

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TECHNOLOGY CENTER R3700

- A. Patent Application No.(s): 10/060,905
- B. Patent No.(s): None.
5. Name and address of party to whom correspondence concerning documents should be mailed:

Mark L. Yaskanin  
Sheridan Ross P.C.  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141

6. Total number of applications and patents involved:

1.

7. Total fee (37 CFR 3.41).....\$40.00.

☒ Enclosed

☒ Any deficiency in payment of recording fee is authorized to be charged to deposit account.

☐ Authorized to be charged to deposit account.

8. Deposit account number: 19-1970

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Total number of pages including cover sheet, attachments and document: 3

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Mark L. Yaskanin

Mark L. Yaskanin  
Registration No. 45,246  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: 11-7-2003  
J:45101-4P70-Assignment

ASSIGNMENT

WHEREAS, I, Dr. Stephen Ritland having an office at 1150 N. San Francisco Street, Flagstaff, Arizona 86001, am inventor of a certain new and useful invention entitled "RETRACTOR AND METHOD FOR SPINAL PEDICLE SCREW PLACEMENT", for which an application for Letters Patent of the United States was filed on January 29, 2002 as U.S. Patent Application No. 10/060905, and for which PCT Application No. PCT/US02/02703 was filed on January 29, 2002.

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do, in accordance with and subject to the terms and conditions as set forth in the Product Development Agreement having an Effective Date of April 9, 2002 and executed on June 26, 2002, sell, assign and transfer unto said assignee, DePuy AcroMed, Inc. having an office at 325 Paramount Drive, Raynham, Massachusetts 02767, its successors, legal representatives and assigns, the aforesaid applications for the territory of the United States of America and all appropriate continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent in accordance with the terms of this Assignment, to DePuy AcroMed, Inc. its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, I have executed this Assignment as of the date indicated hereunder.

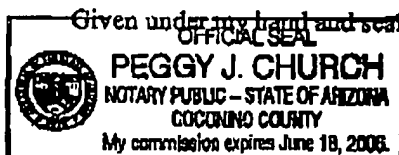
Date: 9.10.3

By: [Signature]

Dr. Stephen Ritland

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF COCONINO )

Before me, a Notary Public in and for said County and State, personally appeared Dr. Stephen Ritland, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.



Peggy J. Church  
Notary Public

My Commission Expires: June 18, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

RITLAND

Serial No.: 10/060,905

Dated: January 29, 2002

Atty. File No.: 4510-4

For: "RETRACTOR AND METHOD  
FOR SPINAL PEDICLE SCREW  
PLACEMENT"

) Group Art Unit: 3732

) Examiner: Cary E. O'Connor

) RECORDATION OF NAME CHANGE

) Express Mail Label: EL975238840US

Mail Stop: Assignment Recordation Services  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

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Dear Sir:

Please record the attached original documents or copy thereof:

1. Name of conveying party(ies):

DePuy AcroMed, Inc.

2. Name and address of receiving party(ies):

DePuy Spine, Inc.  
325 Paramount Drive  
Raynham, Massachusetts 02767  
U.S.A.

3. Nature of Conveyance:

<input type="checkbox"/>	Assignment	<input type="checkbox"/>	Merger
<input type="checkbox"/>	Security Agreement	<input checked="" type="checkbox"/>	Change of Name
<input type="checkbox"/>	Other: _____		

Effective Date: October 1, 2003

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s): 10/060,905

B. Patent No.(s): None.

5. Name and address of party to whom correspondence concerning documents should be mailed:

Mark L. Yaskanin  
Sheridan Ross P.C.  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141

6. Total number of applications and patents involved:  
1.

7. Total fee (37 CFR 3.41).....\$40.00.

☒ Enclosed

☒ Any deficiency in payment of recording fee is authorized to be charged to deposit account.

☐ Authorized to be charged to deposit account.

8. Deposit account number: 19-1970

9. Statement and signature.

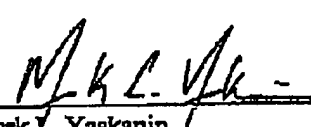
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Total number of pages including cover sheet, attachments and document 5

Respectfully submitted,

SHERIDAN ROSS P.C.

By.

  
Mark L. Yaskanin  
Registration No. 45,246  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: 11-7-2003  
J:\4510\4PTO-Name Change.wpd



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPENSE	PENALTY	CERT	COPY
10/12/2003	200327600246	DOMESTIC AMENDMENT TO ARTICLES (AND)	00.00	100.00	.00	20.00	.00

Receipt  
This is not a bill. Please do not remit payment.

C.T. CORPORATION SYSTEM  
17 S. HIGH STREET  
COLUMBUS, OH 43215

## STATE OF OHIO

Ohio Secretary of State, J. Kenneth Blackwell

614043

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**DEPUY SPINE, INC.**

and, that said business records show the filing and recording of:

Document(s)  
**DOMESTIC AMENDMENT TO ARTICLES**

Document No(s):  
**200327600246**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of  
the Secretary of State at Columbus,  
Ohio this 1st day of October, A.D.  
2003.

*J. Kenneth Blackwell*  
Ohio Secretary of State



Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State  
Carnegie Ohio (614) 466-3910

Toll Free: 1-877-SOS-FILM (1-877-767-3433)

www.ohio.gov/sos

e-mail: busserve@sos.ohio.gov

Expedite this Form please	
Mail Form to one of the following:	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43218 <small>** Requires an additional fee of \$100 **</small>
<input type="radio"/> No	PO Box 1028 Columbus, OH 43216

**Certificate of Amendment by  
Shareholders or Members  
(Domestic)  
Filing Fee \$50.00**

(CHECK ONLY ONE (1) BOX)

<input type="checkbox"/> (1) Domestic For Profit Amended (122-AMAP)	<input checked="" type="checkbox"/> Amendment (125-AMOS)	<input type="checkbox"/> (2) Domestic Non-Profit Amended (126-AMNP)	<input type="checkbox"/> Amendment (128-AMN)
---	---	---	---

Complete the general information in this section for the box checked above.

Name of Corporation DePuy Acromed, Inc.  
Charter Number 614043  
Name of Officer C. W. Smith  
Title Vice President, Law

☒ Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

☐ A meeting of the ☐ shareholders ☐ members was duly called and held on

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise \_\_\_\_\_ % of the voting power of the corporation,

☒ in a writing signed by all of the ☒ shareholders ☐ members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

Consent applies if amended box is checked.

Resolved, that the following amended articles of incorporation be and the same are hereby adopted in substance and take the place of the existing articles of incorporation and all amendments thereto.

541

Form 10-01 (12/01/03) State of Ohio

Page 1 of 3

Last Received: Mar 2004

Last Revised: May 2002

FEB-02-2004 10:58 FROM:DEPUY ACROMED LEGAL 508 828 3789  
01/18/2004 11:10 FAX 3038630223 SHERIDAN ROSS

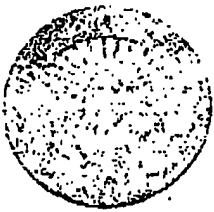
TO: 617 310 9000 P.9/16

614083

UNITED STATES OF AMERICA  
STATE OF OHIO  
OFFICE OF THE SECRETARY OF STATE

I, J. Kenneth Blackwell, Secretary of State of the State of Ohio, do hereby certify that the foregoing is a true and correct copy, consisting of 3 pages, as taken from the original received now in my official custody as Secretary of State.

WITNESS my hand and official seal at Columbus, Ohio, this 29th day of October, A.D. 2003.

 J. KENNETH BLACKWELL  
Secretary of State

By: C. M. Ross

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